Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at http://about.jstor.org/participate-jstor/individuals/early-journal-content.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

Mineral Waters. Two laws have recently been enacted for the protection of natural mineral springs which have a special interest on account of their bearing on the law of percolating waters. In May 1908 the New York legislature passed an act making it unlawful to pump waters or by any artificial means to accelerate the flow of water from any artificial well, the water of which contains in solution natural mineral salts and an excess of carbonic acid gas when such pumping interferes with the flow of water from any spring owned by any other person. This law was passed particularly for the protection of the Saratoga Springs.

Following the example of New York the owners of mineral springs in Indiana around French Lick and West Baden secured the passage in 1909 of a similar law prohibiting the pumping of water containing specified salts and acids, when the flow of any spring would be diminished or endangered or the quality of the water impaired.

Thus far the courts in New York have upheld the law of that state though it has not been passed upon by the court of appeals.

These laws are in conflict with the trend of judicial opinion concerning percolating waters. A similar law prohibiting waste of water from artesian wells passed in Wisconsin in 1901 was declared unconstitutional by the supreme court of that state. The general rule has been followed that unless there is a clearly defined water course underground the owner of the surface cannot be restricted in his use of waters from artesian wells.

JOHN A. LAPP.

Monopoly. The government of the Australian commonwealth recently introduced a bill to increase the effectiveness of anti-trust legislation. The minister of trade and commerce explained that the recent decisions of the high court made the proposed amendments necessary.

M. A. S.

Pensions—Railroad. The coöperation of the Boston and Maine Railroad, with their employees for the establishment of a pension system under state supervision is provided by a recent act of the Massachusetts legislature (Laws, 1909 Ch., 435). The system is voluntary with the company and the employees. It must be adopted by the directors of the company and by two-thirds vote of the employees voting on the proposition before it becomes operative.

The pension association consists of all present employees except those who vote against the acceptance of the act and give written notice that they do not wish to join, and all persons entering the service after it is put into operation. The management of the affairs of the association is placed in the hands of seven trustees, three appointed by the board of directors of the railroad, three by the pension association, and one selected by the other six. These trustees have the care of the funds. With the joint approval of the state insurance commission and state actuary they are required to adopt mortality tables and tables of withdrawals for causes other than death, and fix the rates of interest. With the approval of the directors of the railroad, the trustees classify the employees and establish voluntary and compulsory age limits; define the term "continuous service" and fix the period of continuous service which entitles the employee to retire. Employees reaching the voluntary age limit may retire or be retired by the company. At the compulsory age they must retire unless the directors of the railroad and the trustees decide otherwise.

An annual report in detail is required to be made to the state insurance commission.

The funds of the association arise from contributions by the railroad and the members. An entrance fee of one dollar and annual dues of fifty cents are charged to each member and an equal amount is paid by the railroad for the expenses of management. The fund is further divided into "annuities," or the amount paid from funds contributed by the employees and "pensions," or the amount paid from funds contributed by the railroad. The employees pay a per cent of their wages to be fixed by the trustees at not more than 3 per cent except by special vote and each member may deposit more to secure additional annuities. The railroad company contributes each month an amount sufficient to maintain the reserve for pensions and annually the railroad contributes an amount equal to the excess of annuity deposits over the pension contributions and also an amount sufficient to pay the current pensions of employees, who have been retired but who are not entitled to annuities from deposits. Suitable tables for determining excess interest and gains from mortality and withdrawals are required to be made by the trustees with the approval of the insurance commission and state actuary.

Members completing the service period or on being retired are entitled to a life annuity equal to their deposits with interest according to tbe tables adopted by the trustees. A pension equal to the annuity is paid from the funds contributed by the railroad. Continuous service for

twenty years entitles a member upon retirement to a minimum pension and annuity of $200, the excess to be paid by the company.

The funds of the pension system are exempt from taxation and attachment and no assignment of any right in the fund is valid. The affairs of the pension system are subject to examination by the insurance commission and state actuary and any violations of law are required to be reported to the attorney general if the unlawful practices are not amended.

JOHN A. LAPP.

Primary Elections—Constitutional Law. The direct primary election law of Illinois which was enacted at a special session of the legislature in February, 1908, has been declared unconstitutional by the supreme court of that state (88 N. E. 821). This is the third direct primary law to be declared unconstitutional in that state in the last four years. The grounds of the decision are: first; that the law made no provision for registering voters who had become eligible to vote in a precinct after the registration for the general election and before the primary and, second; that the party committees were given power to determine the number of candidates to be nominated for the general assembly and restricted the voters at the primary to one vote for each candidate. The court held that the primary election is an election within the meaning of that term as used in the constitution and must be free and equal. The primary election law of 1908 by requiring voters at the primary to be registered and omitting to make provision for registry immediately preceding the election, deprive certain citizens, who have changed their residence, or become of age or have been naturalized since the general election, of their right to vote.

The second objection involved the constitutional provision for the cumulative vote. The law gave authority to the senatorial committee to determine how many candidates should be nominated for the general assembly and the voters were restricted to one vote for each candidate whereas at all elections according to the constitution, as many candidates must be named as there are places to be filled and the voters are permitted to cast a single vote for each or to cumulate their votes on one or two candidates. The primary election being held to be an election within the meaning of the constitution, it is obvious that any law which does not permit the cumulative vote is void. The supreme court in a previous decision (Rouse v. Thompson, 228 Ill. 522, 81 N.E. 1109), had attempted to point the way by saying that the senatorial committee